



**U.S. DEPARTMENT OF TRANSPORTATION**  
**FEDERAL HIGHWAY ADMINISTRATION**  
**CALIFORNIA DIVISION**  
980 Ninth Street, Suite 400  
Sacramento, CA 95814-2724  
October 19, 1998

IN REPLY REFER TO  
**HPD-CA**  
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Mr. James W. van Loben Sels, Director  
CALTRANS, 1120 N Street  
Sacramento, California 95814

Attention: Federal Resources Branch, Room 3500  
for Mr. Alan Glen

Dear Mr. van Loben Sels:

**SUBJECT: ER PROGRAM - REVISED DELEGATION FOR SITE REVIEWS**

We appreciate the leadership and initiative Caltrans has taken with the January 15, 1997 delegation to prepare and approve some of the Damage Assessment Forms (DAF) for the Emergency Relief (ER) Program. This delegation has been in force for the two large disasters recently encountered in California - the statewide flooding in 1997 (CA97-1) and the statewide El Niño storms of 1998 (CA98-1). The success of this delegation is attributed to the strong role Caltrans Local Assistance has always had in the ER program, and the willingness to assume the ER delegation.

As we indicated at that time, the ER delegation was subject to revision as both our agencies gain experience with its use. The consensus of a meeting and subsequent communication between our staffs was that more delegations are in order to further maximize the efficiency of getting DAFs done quickly. Specifically, sites over \$100,000 and sites involving only a minor R/W activity were seen as areas Caltrans could be assigned more delegation.

Accordingly, and effective for disasters declared after this date, the ER delegations are revised for Caltrans to conduct site reviews and preparation of DAFs for all local streets and roads (without a cost threshold) except for sites where:

Resurfacing is involved (exceed 50% of project cost)

Significant R/W actions are involved such as:

- relocations of residents or businesses
- partial takes which affect current use of property
- full acquisitions
- partial takes exceeding 25% of a parcel
- involvement of more than 2 parcels

Betterments are involved

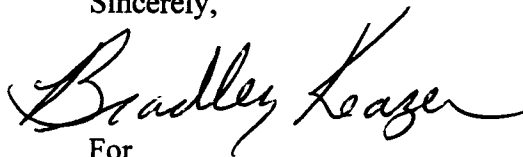
Environmental document exceeds a categorical exclusion

The last criterion, "environmental document exceeds a categorical exclusion," is for determining FHWA participation in the site review and does not delegate environmental clearance authority. FHWA will still be required to approve a Categorical Exclusion (CE) when the programmatic CE conditions do not apply.

As with the original delegation, this delegation to Caltrans is given with the understanding that it cannot be redelegated to the local agencies. Also, it should be understood that this delegation to Caltrans continues to not include sites on State Highways; FHWA representatives will continue to review these sites and sign DAFs for them.

This delegation does not mandatorily preclude FHWA involvement in site review and DAF preparation. You may request FHWA personnel involvement when technical assistance is needed or when it would be significantly more timely for Caltrans/local agency personnel to arrange a separate review for a delegated site or sites.

Sincerely,



For  
Jeffrey A. Lindley  
Division Administrator

Concur:



10/23/98

California Department of Transportation

Date